

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
CLERK'S OFFICE

UNITED STATES OF AMERICA)
) Criminal No. 04-10215-GAO
v.)
DWAYNE BRANCO)
U.S. DISTRICT COURT
DISTRICT OF MASS.

JOINT REPORT UNDER RULE 116.5(A)

The parties hereby submit the following pursuant to Local Rule 116.5(A).

(1) No relief from the timing requirements imposed by Local Rule 116.3.

(2) Each party requests discovery regarding expert witnesses. The parties propose that the United States will provide expert discovery 30 days prior to trial, and the Defendant will provide reciprocal discovery 15 days prior to trial.

(3) Defendant intends to file a discovery request letter. The United States may produce additional discovery in response to that letter. The United States also expects to receive chain of custody documents, and will provide them upon receipt. Neither party anticipates providing any other additional discovery, other than that related to expert witnesses.

(4) The Defendant may file a discovery motion, which decision will depend upon the response that he receives to his discovery request letter. No other motions are anticipated at this time.

(5) The parties request that the Court exclude the period

from August 18, 2004 through September 1, 2004, from calculation under the Speedy Trial Act a result of the automatic discovery period (the Court already has excluded through August 18, 2004). The parties further request that the Court exclude the time period between September 1, 2004 (the end of the automatic discovery period) and the date of the next status conference, due to ongoing discovery.

(6) Trial does not appear to be likely at the present time. In the event that trial is elected, the parties anticipate that it would not last more than 5 days.

(7) The parties request that a further status conference be scheduled for October, 2004, to allow the parties time in which to engage in further discovery and to determine whether the Defendant will file any discovery motions.

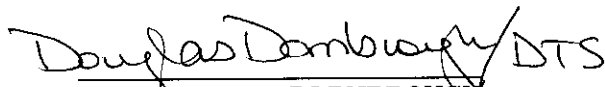
The parties submit that the status conference scheduled for September 15, 2004, is not necessary, given the issues set forth above.

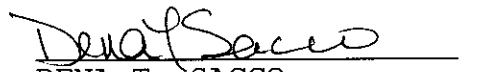
DWAYNE BRANCO
by his attorney

Respectfully submitted,

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By:


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Dated: September 13, 2004